

PTO/SB#21 (08-03)

1652 \$

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/054,611
	Filing Date	January 18, 2002
	First Named Inventor	Cech, Thomas
	Art Unit	1652
	Examiner Name	Malgorzata A. Walicka
Total Number of Pages in This Submission	Attorney Docket Number	015389-002970US

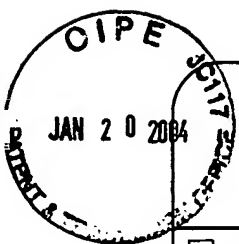
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Appointment of Associate Attorney under 37 CFR § 1.23(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard Copies of four (4) cited applications and claims
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Scott L. Ausemus Reg. No. 42,271
Signature	
Date	January 16, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Nicole M. Wartell		
Signature		Date	January 16, 2004

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

Complete if Known

Application Number	10/054,611
Filing Date	January 18, 2002
First Named Inventor	Cech, Thomas
Examiner Name	Malgorzata A. Walicka
Art Unit	1652
Attorney Docket No.	015389-002970US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims		-** =		X		
Independent Claims		-** =		X		
Multiple Dependent				X		

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$)180

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Scott L. Ausenhus	Registration No. (Attorney/Agent)	42,271	Telephone	303-571-4000
Signature		Date	January 16, 2004		

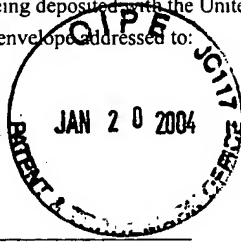
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On

Jan 16, 2004



PATENT
Attorney Docket No.: 015389-002970US
Client Reference No.: 018/182C

TOWNSEND and TOWNSEND and CREW LLP

By:

Nicole M. Wartell
Nicole M. Wartell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cech et al.

Application No.: 10/054,611

Filed: January 18, 2002

For: NOVEL TELOMERASE

Examiner: Malgorzata A. Walicka

Art Unit: 1652

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references listed on the attached forms can be found in Application No. 09/843,676, filed April 26, 2001 (Attorney Docket No. 015389-002943US), an application to which the present application claims priority.

Applicants also wish to make the Examiner aware of the following co-pending patent applications:

1. U.S. Patent App. No. 09/432,503, filed 11-02-1999, Applicant Cech et al., Attorney Docket No. 015389-0002611US;

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2. U.S. Patent App. No. 09/721,477, filed 11-22-2000, Applicant Cech et al., Attorney Docket No. 015389-002914US;
3. U.S. Patent App. No. 09/721,506, filed 11-22-2000, Applicant Cech et al., Attorney Docket No. 015389-002916US; and
4. U.S. Patent App. No. 09/974,584, filed 11-19-1997, Applicant Cech et al., Attorney Docket No. 015389-002950US.

To comply with 37 CFR §1.98(a)(2)(iii), the specifications, drawings and currently pending claims for U.S. Application No. 09/432,503 (Attorney Docket No. 015389-002611US) and U.S. Application No. 09/974,584 (Attorney Docket No. 015389-002950) are enclosed. The currently pending claims from U.S. Application Nos. 09/721,477 (Attorney Docket No. 015389-002614US) and 09/721,506 (Attorney Docket No. 015389-002616US) are also enclosed; copies of the specification and drawings for these latter two applications are not enclosed because these applications are the same as US Application No. 09/432,503.

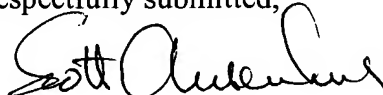
It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

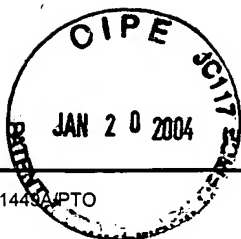
Respectfully submitted,



Scott L. Ausenhus
Reg. No. 42,271

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San Francisco, California 94111-3834
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Fax: 303-571-4321
SLA:nmb

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Substitute for form 1449A-PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/054,611
		Filing Date	January 18, 2002
		First Named Inventor	Thomas R. Cech
		Art Unit	1652
Examiner Name	Malgorzata A. Walicka		
Sheet 1 of 1	Attorney Docket Number		015389-002970US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	A1	US-6,440,735 B1	08-27-2002	Gaeta	
	A2	US-6,444,650 B1	09-03-2003	Cech et al.	
	A3	US-6,517,834 B1	02-11-2003	Weinrich et al.	
	A4	US-6,608,188 B1	08-19-2003	Tsuchiya et al.	
	A5	US-6,627,619 B2	09-30-2003	Cech et al.	
	A6	US 2002-0164786 A1	11-07-2002	Cech et al.	
	A7	US 2002-0187471 A1	12-12-2002	Cech et al.	
	A8	US 2003-0009019 A1	01-09-2003	Cech et al.	
	A9	US 2003-0032075 A1	02-13-2003	Cech et al.	
	A10	US 2003-0044953 A1	03-06-2003	Cech et al.	
	A11	US 2003-0096344 A1	05-22-2003	Cech et al.	
	A12	US 2003-0100093 A1	05-29-2003	Cech et al.	
	A13	U.S. Application No. 09/432,503		Cech et al.	
	A14	U.S. Application No. 09/721,477		Cech et al.	
	A15	U.S. Application No. 09/721,506		Cech et al.	
	A16	U.S. Application No. 90/974,584		Cech et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	B1	CA	2271718	A1	05-22-1998			<input type="checkbox"/>
	B2							<input type="checkbox"/>

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.